

INSTRUCTIONS: FILL IN THE BLANKS AND THE INDEX NUMBER. USE THE CAPTION OF THE FORECLOSURE ACTION. PRINT LEGIBLY USING **BLACK INK** ONLY.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X

Plaintiff(s)

Index #

-against-

Defendant(s)

NOTICE OF MOTION TO
CONFIRM REFEREE'S REPORT
OF SALE AND DISBURSE
SURPLUS MONIES

-----X

UPON the annexed report of sale of _____, Esq. as the referee appointed to sell in the proceeding herein, filed in the office of the Clerk of the County of Queens on _____, 20__, the annexed affidavit of _____ (**YOUR NAME**), duly sworn to on _____, 20__, the Certificate of no Exceptions of the Clerk of the County of Queens bearing certificate number _____ showing no exceptions to the Referee's Report of Sale, the Certificate of Claims and Appearance bearing certificate number _____ showing no claims to the surplus money other than that of the defendant/fee owner aforementioned and showing the amount of _____ dollars (\$) has been paid into court and deposited with the Department of Finance of the City of New York, and upon the Certificate of the Commissioner of Finance of the City of New York, Certificate of Deposit bearing the number _____, dated _____, 20__, showing that surplus

monies in the sum of _____
dollars (\$) currently on deposit with the Department of Finance of
the City of New York , inclusive of interest, and upon all pleadings and
proceedings filed heretofore, _____ **(YOUR NAME)**
will move this Court on the _____ day of _____, 20__ at
_____ in the forenoon at IA Part _____, Courtroom _____ for an order
confirming the referee's report of sale and directing the Department of Finance of
the City of New York to disburse surplus monies in the amount of
_____ dollars (\$ _____),
less any fees due to the Clerk to _____ **(YOUR NAME)**.

Please take notice that pursuant to CPLR 2214b, answering affidavits, if any, are
required to be served upon the undersigned at least seven days before the return
date of this motion.

Dated: Queens, New York

_____, 20__ (Date)

(Print your name, address, and
telephone number)

To: Attorney for Plaintiff(s)

(Print name address and telephone number)